

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7750

Petition of Lamoille County Sheriff's Department,)
Vermont Communications Board, and Vermont)
Transco LLC, for authority to install a wireless)
communications facility in Hyde Park, Vermont)

Entered: 11/7/2011

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. SECTION 248a

IT IS HEREBY CERTIFIED that the Public Service Board of the State of Vermont ("Board") this day found and adjudged that the installation and operation of the wireless telecommunications facility proposed by the Lamoille County Sheriff's Department ("LCSD"), the Vermont Communications Board, and Vermont Transco LLC (collectively, the "Petitioners"), to be located in the Town of Hyde Park, Vermont (the "Project"), will promote the general good of the State, subject to the following conditions:

(1) The terms and conditions of the Memorandum of Understanding dated August 23, 2011 ("MOU"), with the exception of Section C, are incorporated herein by reference. Without limitation, the conditions on the construction and operation of the telecommunications facility include the following:

- a. Petitioners shall not install or cause to be installed in the area between the 90 and 100-foot sections of the agreed-upon tower either of the following: (i) panelized antennas with an aggregate surface area of 2 square feet on one side; and/or (ii) a microwave antenna with a diameter of greater than 18 inches.

- b. Whip antennas may exceed the top of the 90-foot tower by up to ten (10) feet. No antennas placed on the tower extension shall tip higher than the 105-foot level.
- c. Petitioners may install a lightning arrester up to 5 feet higher than the tallest antenna.
- d. Only antennas used by Petitioners (including the constituent public and volunteer services, electrical transmission and distribution utilities, and first responders that the antenna equipment associated with the Project is intended to serve) for public safety may be installed between the 90-foot and 100-foot sections of the tower.
- e. No structural extensions between the 90-foot and 100-foot levels shall be built unless and until a need arises. Petitioners shall make commercially reasonable efforts to place any additional, future antenna, dish, or other attachment at 90-feet or below, including, where feasible, through relocation of existing antennas.
- f. Petitioners, including but not limited to LCSD, shall not sign or enter into agreements with commercial users for space on the tower that will interfere with currently foreseeable public safety uses.
- g. Any tower extension between the 90-foot and 100-foot elevations shall be designed to minimize any aesthetic effect on the surroundings while at the same time meeting a structural standard reasonably necessary to accommodate the proposed equipment.
- h. Any tower extension shall not have a girth greater than what is reasonably necessary to accommodate the equipment, as determined by a licensed structural engineer, and shall in no case exceed the maximum width of 18 inches.
- i. Petitioners shall notify the Neighbors via mail thirty days prior to filing with the Public Service Board any proposal to extend the tower to 100 feet. This obligation pertains only to the Neighbors identified in the

MOU, and does not run with the land or to said Neighbors' successors, assigns, heirs, personal administrators, and the like.

(2) The Petitioners shall construct, operate, and maintain the Project in accordance with the plans and evidence submitted in this proceeding, and specifically the tower design prepared by Valmont Industries, Inc. dated August 25, 2011, and submitted to the Board on September 2, 2011. Any material or substantial change in the Project is prohibited without prior Board approval.

(3) Following construction, Petitioners shall ensure that the communications facility is operated so as not to cause objectionable noise, vibrations, or odors beyond the property limits on which the project is located.

(4) Prior to commencement of Project construction, the Petitioners shall secure either an agreement with H.A. Manosh, Inc., for removal of the existing tower at the site, or an order from a court of competent jurisdiction requiring removal of the existing tower by a date certain.

(5) The Project shall comply with applicable existing and future statutory requirements and Board Rules and Orders.

This Certificate of Public Good shall not be transferred without prior approval of the Board.

Dated at Montpelier, Vermont, this 7th day of November, 2011.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: November 7, 2011

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)